

Applicant: Andrew P. Muser
Application No.: 10/674,483
Amendment After Final Rejection
Docket No.: P-4961/2 (102-405 CON)
Page 4

REMARKS

Reconsideration of the application is respectfully requested.

Claims 1 and 4-8 are in the application. Through this Amendment, claim 8 has been amended.

On October 2, 2007, a Final Office Action was issued which raised several objections and rejections. An Amendment After Final Rejection was filed on December 3, 2007 by the Applicant in response to the October 2, 2007 Final Office Action. An Advisory Action was issued on December 10, 2007 in which it was indicated that the December 3, 2007 response overcame all objections and rejections except for a rejection under 35 U.S.C. §112 pertaining to claim 8. In addition, it is noted that the Advisory Action indicated that the amendments of the December 3, 2007 Amendment have been entered. The claims presented herein reflect the entered amendments. In view of the only outstanding rejection being related to claim 8, the comments set forth herein shall focus on that rejection.

In the October 2, 2007 Final Office Action, the Examiner rejected claim 8 under 35 U.S.C. §112, second paragraph, as allegedly being unclear for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. In particular, the Examiner asserted that claim 8 "remains unclear as to what is actually meant by corners defining varying radii". Claim 8 has been amended to indicate: "each of said corners defining varying radii at different locations between said open end and said closed end

Applicant: Andrew P. Muser
Application No.: 10/674,483
Amendment After Final Rejection
Docket No.: P-4961/2 (102-405 CON)
Page 5

including a first radius at a first location and a second radius at a second location, said first and second radiiuses being different, and said first and second locations being different." Support for this Amendment may be found at para. [00015] of Applicant's Specification. It is clear from the written description and drawings of the subject application that the corners define varying radiiuses at different locations along the length thereof. It is respectfully submitted that claim 8, as amended, is in accord with 35 U.S.C. §112.

Favorable action is earnestly solicited. If there are any questions or if additional information is required, the Examiner is respectfully requested to contact Applicant's attorney at the number listed below.

Respectfully submitted,

Ludomir A. Budzyn
Registration No.: 40,540
Attorney for Applicant

HOFFMANN & BARON, LLP
6900 Jericho Turnpike
Syosset, New York 11791
(973) 331-1700